

031104

11696 U.S. PTO

## UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

SYR-HSD-5002-U

## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of Christopher L. Caster, Andrew J. Jennings, Marc E. Navre, Michael B. Wallace and Yiqin Wu entitled PROBE, ASSAY AND KITS FOR DETECTING 11 $\beta$ -HYDROXYSTEROID DEHYDROGENASE AND MODULATORS THEREOF, for a(n):

(X) Original Patent Application.

( ) Continuing Application (prior application not abandoned):

- ( ) Continuation ( ) Continuation-in-part (CIP)  
 ( ) Divisional ( ) Request for Continuing Examination  
 of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_  
 ( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- (X) Specification 34 Total Pages. (X) Claims 16 Total Pages.  
 (X) Drawing(s) 2 Total Sheets. (X) Abstract 1 Page.  
 ( ) Oath or Declaration  
 (X) Nonpublication Request Under 35 U.S.C. 122(B)(2)(B)(I)  
 (X) Sequence Listing (Paper-in duplicate).  
 (X) Sequence Listing (Diskette).  
 ( ) Assignment to \_\_\_\_\_  
 ( ) Assignment Recordation Sheet.  
 (X) Other: Statement Under 37 CFR § 1.821(f); Return Receipt Postcard

(X) Applicant claims small entity status.

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	63	43	\$ 9.00	\$ 387.00
Independent Claims	9	6	\$43.00	\$ 258.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$0.00
Basic Filing Fee				\$ 385.00
Total Filing Fee				\$1,030.00

No fee or Declaration is being submitted at this time. (37 CFR § 1.16(e)).

Respectfully submitted,

By:

David J. Weitz  
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 Reg. No. 38362

Date: March 11, 2004

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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

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<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>		First Named Inventor	Christopher L. Caster et al.
		Title	PROBE, ASSAY AND KITS FOR DETECTING 11 $\beta$ -HYDROXYSTERIOD DEHYDROGENASE AND MODULATORS THEREOF
		Atty Docket Number	SYR-HSD-5002-U

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

SYRRX, INC.

March 11, 2004

Date

By: David J. Weitz

Signature

David J. Weitz, Reg. No. 38,362

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.